

**BEFORE THE TENNESSEE REGULATORY AUTHORITY AT**

**NASHVILLE, TENNESSEE**

**June 28, 2002**

**IN RE:**

**BELLSOUTH TELECOMMUNICATIONS, INC.  
TARIFF TO MODIFY CCS7 ACCESS ARRANGEMENT**

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**DOCKET NO.  
02-00024**

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**ORDER APPROVING TARIFF**

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This matter came before the Tennessee Regulatory Authority ("Authority") at a regularly scheduled Authority Conference held on May 21, 2002, for consideration of the BellSouth Telecommunications, Inc. ("BellSouth") Tariff to Modify CCS7 Access Arrangement ("Tariff") that was originally filed on January 7, 2002 with an effective date of February 6, 2002.

**THE PROPOSED TARIFF**

The Tariff adds a new charge to BellSouth's Access Services Tariff for CCS7 signaling; according to data submitted, the Tariff also reduces local switching rates so that the overall filing results in a revenue reduction to BellSouth of approximately \$40,000 annually. SS7 provides the signaling set-up, access to various databases, call supervision and information necessary to route calls to the appropriate service providers. BellSouth acknowledges that the new CCS7 rate is a "non-basic" rate increase and proposes to offset the increase with reductions in local switching access rates.

**PROCEDURAL HISTORY**

On February 5, 2002, XO Tennessee, Inc., US LEC of Tennessee, Inc., Time Warner Telecom of the Mid-South, L.P. and ITC^Deltacom Communications (collectively "Petitioners")

filed a joint petition to suspend effective date ("Joint Petition to Suspend"). On February 7, 2002, BellSouth filed a revision to the Tariff. This revision changed the proposed effective date to March 1, 2002. On February 26, 2002, at the regularly scheduled Authority Conference, the parties acknowledged that in order to allow the parties to continue negotiations, the effective date had been extended until March 15, 2002.

The Tariff was again considered at a regularly scheduled Authority Conference held on March 12, 2002. After review of the Tariff, the record in this matter and a discussion with the parties, the Directors determined to allow BellSouth additional time to respond to the issues raised in the Joint Petition to Suspend. Thereafter, the Directors unanimously suspended the Tariff for an additional sixty (60) days, from March 15, 2002 through May 14, 2002.

At the May 7, 2002 Authority Conference, after a discussion by the parties as to the status of their settlement negotiations, the Petitioners made an oral request to intervene. After further discussion by the Directors, a majority<sup>1</sup> determined to direct the Petitioners and BellSouth to attempt to resolve all the issues, and to allow until the following Conference to work out a settlement agreement. If no settlement was forthcoming and the Petitioners still intended to pursue a contested case, the Petitioners were directed to file additional support for their requested intervention, and to cite with particularity any statutory provisions that the proposed Tariff is alleged to violate.

On May 13, 2002, the joint petition to permit petitioners to intervene ("Petition to Intervene") was filed by the Petitioners. BellSouth filed a response to the Petition to Intervene on May 16, 2002.

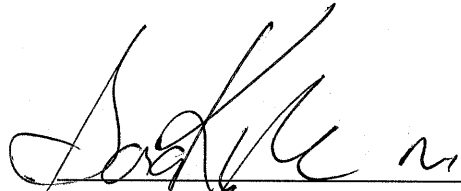
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<sup>1</sup> Chairman Kyle did not vote with the prevailing motion but instead moved to approve the Tariff, provided that BellSouth replace the word "interstate" with the word "intrastate" in Section E.2.3.14(A)(3).

At the Authority Conference held on May 21, 2002, the Directors unanimously directed BellSouth to replace the word "interstate" with the word "intrastate" in Section E.2.3.14(A)(3), and voted to approve the Tariff. A majority<sup>2</sup> of the Directors also ordered BellSouth to resubmit the Tariff consistent with the points of contention that had been resolved in the parties' negotiations.<sup>3</sup>

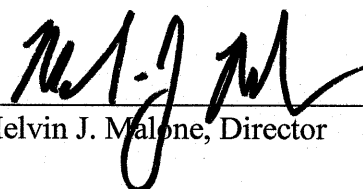
**IT IS THEREFORE ORDERED THAT:**

BellSouth Telecommunications, Inc. Tariff to Modify CCS7 Access Arrangement is approved, subject to the replacement of the word "interstate" with the word "intrastate" in Section E.2.3.14(A)(3). BellSouth shall resubmit this Tariff consistent with this language as well as the previously submitted language that resulted from the parties' negotiations.

  
Sara Kyle, Chairman



H. Lynn Greer, Jr., Director

  
Melvin J. Malone, Director

ATTEST:

  
K. David Waddell, Executive Secretary

<sup>2</sup> Chairman Kyle did not join in this part of the motion, and limited her assent to her motion from the preceding Conference.

<sup>3</sup> On May 16, 2002, BellSouth filed a response stating that it proposed to the Petitioners and would include in the Tariff an acknowledgment that the subject SS7 per message rates apply only to intrastate non-local traffic, that the applicable SS7 per message rates included in interconnection agreements will prevail, and that BellSouth will not bill any single SS7 message to more than one customer.